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**REMARKS**

The Applicant has received and reviewed the Official Action dated 1 March 2007 (the "Action"), and submits this paper as a fully-responsive reply thereto.

The Applicant respectfully requests reconsideration and favorable action on the subject application. Claims 1-2, 4-6, 8, 11-16 and 20 are pending after entry of the revisions indicated above.

**Claim Rejections under 35 U.S.C. § 103**

As stated in Paragraph 2 of the Action, claims 1, 2, 4-9, 11-16 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over allegedly admitted prior art (hereinafter, "APA") in view of U.S. Patent No. 6,678,741 to Northcutt et al. (hereinafter, "Northcutt"). Applicant respectfully traverses the rejections, with the comments below being organized for convenience under appropriate headings.

**Request for Reconsideration of APA**

On page 3, the Action characterized certain subject matter described on pages 3 and 4 of the Applicant's specification as "admitted prior art" (APA). However, the Applicant respectfully traverses this characterization, for at least the reasons set forth in the previous response. In the interests of conciseness, the Applicant refers to these previous remarks, rather than reproducing them here. In light of these previous remarks, the Applicant requests reconsideration of the characterization of pages 3 and 4 of the Applicant's specification as APA.

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The Applicant proceeds with the rest of these remarks without conceding that the APA is prior art against the Applicant's claims. More particularly, the Applicant provides the remarks below while maintaining the above request for reconsideration regarding the APA.

Revisions to Certain Claims

Turning now to **independent claim 1**, the Applicant has amended this claim to clarify certain features related to the recited method. The Applicant submits that the revisions to claim 1 are fully supported at least by Figures 2 and 4 of the Applicant's drawings, and related description in the specification.

Turning to the rejection of claim 1, the Applicant submits that the cited portion of the Applicant's specification neither teaches nor suggests at least the revisions to claim 1. For example, the manual checks described on Page 4 of the specification neither teaches nor suggests a computer-readable storage medium storing instructions for performing the recited automated distribution method. Additionally, the description on Pages 2-3 of the Applicant's specification neither teaches nor suggests the hierarchy or organization of the HDT, OMU, OIU, and ONU recited in the beginning of claim 1. The Applicant also submits that Pages 2-3 of the Applicant's specification does not teach or suggest performing the recited processes of "identifying", "determining", and "updating" the software installed on the OMU, the OIU, and the further OIU.

In addition to the forgoing, the Applicant agrees with the shortcomings of the alleged APA that are stated on Page 3 of the Action. Thus, the Action cited Northcutt for this teaching. However, without conceding that Northcutt provides

the teaching for which it is cited in the Action, the Applicant submits that Northcutt neither teaches nor suggests at least the revisions to claim 1, and therefore fails to cure the deficiencies of the alleged APA.

Based at least on the foregoing revisions and comments, the Applicant submits that the alleged APA and Northcutt, whether considered alone or in combination, support a § 103 rejection of claim 1. The Applicant thus requests reconsideration and withdrawal of the stated § 103 rejection of claim 1.

Turning to **dependent claims 2, and 4-6**, the Applicant has amended these claims for consistency with claim 1, as well as to recite additional features shown in, for example, Figure 4 of the Applicant's drawings. Thus, the above comments directed to claim 1 apply equally to claims 2, and 4-6, in addition to the features recited in these dependent claims.

**Dependent claim 7** is cancelled herein only to expedite prosecution of this matter, and without waiver, prejudice, or disclaimer of the subject matter recited therein.

Turning now to **independent claim 8**, the Applicant has revised it similarly to claim 1, which was discussed above. Therefore, the comments directed above to claim 1 apply equally to claim 8. Based at least on the foregoing revisions and comments, the Applicant submits that the alleged APA and Northcutt, whether considered alone or in combination, support a § 103 rejection of claim 8. The Applicant thus requests reconsideration and withdrawal of the stated § 103 rejection of claim 8.

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**Dependent claim 9** is cancelled herein only to expedite prosecution of this matter, and without waiver, prejudice, or disclaimer of the subject matter recited therein.

Turning to **dependent claims 11-14**, the Applicant has amended these claims for consistency with claim 8. Thus, the above comments directed to claim 8 apply equally to claims 11-14, in addition to the features recited in these dependent claims.

**Dependent claims 15-16** are carried forward without revisions. The comments directed to claim 8 apply equally to claims 15-16.

Turning now to **independent claim 20**, the Applicant has revised it similarly to claim 1, which was discussed above. Therefore, the comments directed above to claim 1 apply equally to claim 20. Based at least on the foregoing revisions and comments, the Applicant submits that the alleged APA and Northcutt, whether considered alone or in combination, support a § 103 rejection of claim 20. The Applicant thus requests reconsideration and withdrawal of the stated § 103 rejection of claim 20.

#### **Requirement for Information**

The Applicant's representative is still gathering information from the inventors responsive to this Requirement, and will include all obtained information in the formal response.

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**Conclusion**

Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 2, 4-9, 11-16 and 20, and favorable action on the subject application. If any issue remains unresolved that would prevent allowance of this case, the Examiner is requested to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Date: \_\_\_\_\_

By: \_\_\_\_\_

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